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HONORABLE BRIAN D. LYNCH
HEARING DATE: September 13, 2018
TIME: 1:30 pm
RESPONSE DATE: September 6, 2018
Chapter 13
Tacoma, WA

4 **IN THE UNITED STATES BANKRUPTCY COURT FOR THE**
5 **WESTERN DISTRICT COURT OF WASHINGTON**

6 **Re**

7 **CLAIREASE LEANN FONTAINE**

8 **Debtor(s)**

In Chapter 13 Proceeding
No. 18-40906-BDL

9 **RESPONSE TO MOTION FOR**
10 **RELIEF FROM STAY BY AMERICA'S**
11 **CREDIT UNION**

10 COMES NOW the above-referenced debtor(s) through their attorneys of record and responds
11 as follows to the Motion for Relief from Stay by America's Credit Union as follows:

12 Debtor was temporarily unemployed but is now permanently employed with Boeing and the
13 Trustee has issued the directive to her employer so payments will be received on a regular
14 basis.

15 Debtor has also filed a modified Plan which will cure all arrears with America's Credit Union
16 and which is now a 100% plan to general unsecured creditors. The loan with America's Credit
17 Union is being paid at the contract rate and will survive the Plan.

18 The Modified Plan also now provides for America's Credit Union to be paid for the arrears
19 and monthly payments before administrative expenses. Part of the delinquency to American's
20 Credit Union is that the current confirmed Plan allows for administrative fees to be paid prior to
21 all creditors which America's Credit Union did not object to and, therefore, should not be a
22 reason for relief from stay to be granted. Under the modified Plan they will be paid as Rank 1.

23 **RESPONSE**

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1
2 Debtor requests the Court allow the modified Plan and deny the request for relief from stay
3 as a feasible Plan has been filed which shall cure all arrears and provide for monthly payments
4 throughout the remainder of the Plan.

5 Dated August 22, 2018.
6
7

/s/ Ellen Ann Brown

8 ELLEN ANN BROWN WSB#27992
9 Attorneys for Debtor(s)